

PATENT  
097/155921

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Donn et al.  
Serial No. : 09/155,921  
Filed : October 8, 1998  
For : PROCESS FOR THE PRODUCTION OF PLANTS WITH  
ENHANCED GROWTH CHARACTERISTICS

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New York, New York 10151

## EXPRESS MAIL

Mailing Label Number EL250496910US  
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under 37 CFR 1.10 on the date indicated above and  
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Charles Jackson  
(Typed or printed name of person mailing paper or fee)

Charles Jackson  
(Signature of person mailing paper or fee)

COMMUNICATION

Assistant Commissioner for Patents  
Box PCT  
Washington, D.C. 20231

Sir:

Attached is the original executed inventor's declaration along with Check  
No. 05522, for 130.00 to cover the required surcharge fee. A copy of the specification,  
as filed, is attached to the declaration since the serial number of the application was not

05/19/1999 PVOLPE yet available to the inventors when the declaration was signed.  
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This Communication is being filed with a copy of the Notification of  
Missing Requirements dated April 13, 1999. *Attachment. Copy.*

Please charge any additional fees required to Deposit Account No.

50-0320.

Respectfully submitted,

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## UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/155,921	DONN	G 514413-3669

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5611

INTERNATIONAL APPLICATION NO.

PCT/EP97/01741

I.A. FILING DATE

PRIORITY DATE

04/08/97

04/11/96

DATE MAILED:

04/13/99

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as
- ☐ a Designated Office (37 CFR 1.494),
- ☒ an Elected Office (37 CFR 1.495):
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
- ☐ a non-English language.
- ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of Inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☒ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 08 Oct 1998 and 08 Oct 1998
- ☒ Information Disclosure Statement(s) filed 08 Oct 1998 and 08 Oct 1998
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed \_\_\_\_\_
- ☐ Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:
2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- ☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).
3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.
5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917☐ Notice of Defective Translation☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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